



Town of Jericho
DEVELOPMENT REVIEW BOARD
67 Route 15
Jericho, VT 05465

Via Certified Mail

23 June 2015

Bert Lindholm
PO Box 1054
Jericho, VT 05465

RE: 9 Walsh Terrace, 2-Lot Subdivision

Dear Mr. Lindholm:

At a meeting of the Jericho Development Review Board held on 14 May 2015, the Board heard your request for a Minor Subdivision (Boundary Adjustment of .61 acres) at 9 Walsh Terrace: Lot 1 (currently .53 acres) is proposed as 1.14 acres, and Lot 2 (currently 1.51 acres) is proposed as .9 acres. The property is located at 9 Walsh Terrace in the Village Center Zoning District (VCTR). The Parcel Code is WT009.

After review of the application, the Board **unanimously** voted to approve your request with conditions. Listed below are the Findings of Fact and Conditions that were approved by the Development Review Board on 14 May 2015:

FINDINGS OF FACT

1. The Subdivision Plat entitled "Plat of Survey Showing Boundary Line Adjustment Showing Lands of Albert & Myrna Lindholm" dated October 2013, prepared by Button Professional Land Surveyors PC shows Lot #1 as .53 acres, and Lot #2 as 1.51 acres.
2. The proposal will adjust Lot #1 to 1.14 acres and Lot #2 to .9 acres. The total adjusted acreage, .61, is over the minimum lot size for The Village Center Zoning district (.25 acres) and as such this application has been treated as a Minor Subdivision.
3. Lot #1 contains an existing home. Applicant has testified that Lot #2 will not be developed by the Applicant.
4. The final plat shows an assumed 50' utility easement to benefit NETTCo on the south side of Lot # 2 adjacent to Route 15. This easement is also shown alongside Lawrence Heights on the east side of both Lots #1 and #2. .
5. The Applicant has testified that he is deferring the right to develop wastewater disposal on Lot #2. Applicant has agreed that wastewater disposal review and permitting will be placed in the deed as a condition of developing the land.
6. The final plat shows a 15' wide gravel driveway access for Lot #2 off Lawrence Heights.

7. The final plat depicts the following existing culverts: 18” and 24” underneath Walsh Terrace, 12” and 18” underneath Lawrence Heights, 24” underneath VT Route 15, and 18” at the base of Lot 2 near VT Route 15.
8. The final application includes a cross section of a 36” inch culvert under the proposed access for Lot #2 off Lawrence Heights. The applicant has testified as willing to conduct a hydraulic study prior to the issuance of an access permit.
9. Testimony was presented that a deed covenant prohibits construction on Lot #2.

CONDITIONS

1. The subdivision shall adhere to the Plat entitled “Plat of Survey Showing Boundary Line Adjustment Showing Lands of Albert & Myrna Lindholm” dated October 2013, prepared by Button Professional Land Surveyors PC submitted to the Jericho Development Review Board for review on May 14, 2015.
2. Within 180 days of approval by the Development Review Board, a Mylar copy of the Final Plat shall be submitted for recording by the applicant, signed by the Chair of the Development Review Board and filed with the Jericho Town Clerk.
3. The Applicant will conduct a hydraulic study to be reviewed and approved by the Town Engineer, modeling the entire drainage area as observed in FOF 7, and act on the recommendations of such study, prior to the issuance of an Access Permit for Lot #2.
4. Prior to issuance of a building permit for Lot #2, all state wastewater and potable water supply permits must be obtained.
5. The reconfigured lots shall be monumented in accordance with the *Town of Jericho Land Use & Development Regulations*, Section 11.4.10.
6. The subdivision Mylar for recording shall include all easement(s), rights-of-way, and building envelopes.
7. The purchaser for Lot #2 shall be shown a copy of this approval prior to any written contract of sale.
8. All other improvements shall adhere to the requirements of the *Town of Jericho Land Use & Development Regulations* in effect as of this date.
9. The applicant will obtain and abide by the conditions of all other required local and State permits.
10. The project will be constructed and subsequently operated consistent with all Findings of Fact and Conditions set forth above and in any other permit obtained by the applicant for this project.
11. Substantial revisions to this plan shall require the further review and approval of the Development Review Board at a publicly warned hearing.
12. By acceptance of these conditions without appeal, the applicants confirm and agree for themselves and all successors in interest that the conditions of this decision shall run with the land and shall be binding and enforceable.

Motion by Barry King to approve the request by Bert Lindholm for a two lot subdivision of parent parcel WT009. Seconded by Stephanie Hamilton. Those in favor: Barry King, Stephanie Hamilton, Joe Flynn, and Chris West. Opposed: None. Abstained: None. Motion carried 4-0. The application was approved.

In accordance with 24 V.S.A. §4471 any Interested Person may appeal this decision within 30 days by filing a notice of appeal by certified mail, sent to the State Environmental Court with a copy to the Town of Jericho. Address: *Vermont Superior Court, Environmental Division, 2418 Airport Rd., Suite 1, Barre, VT 05641-8701*. The current filing fee for an appeal is \$262.50, payable to Vermont Superior Court, and it must be sent in with the notice of appeal. Anyone with questions about an appeal can call the Court at 802 828-1660.

Sincerely,

Barry J. King, Chair
Jericho Development Review Board

cc: Bert Lindholm, owner
Town Clerk
Town Planner
Zoning Administrator
Lister - Town of Jericho
Selectboard